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6 UNITED STATES DISTRICT COURT
7 DISTRICT OF NEVADA

8 TRUSTEES OF THE CONSTRUCTION
9 INDUSTRY AND LABORERS HEALTH
10 AND WELFARE TRUST; TRUSTEES OF
11 THE CONSTRUCTION INDUSTRY AND
12 LABORERS JOINT PENSION TRUST;
13 TRUSTEES OF THE CONSTRUCTION
INDUSTRY AND LABORERS
VACATION TRUST; AND THE
TRUSTEES OF THE SOUTHERN
NEVADA LABORERS LOCAL 872
TRAINING TRUST,

14 Plaintiffs,

15 vs.

16 WESTERN EXPLOSIVES SYSTEMS
17 COMPANY a/k/a WESCO, a Delaware
corporation,

18 Defendant.

Case No. 2:10-cv-00609-HDM-LRL

ORDER GRANTING

**MOTION TO SET ASIDE DEFAULT
JUDGMENT AND DISMISS**

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20 Plaintiffs, Trustees of the Construction Industry and Laborers Health and Welfare Trust;
21 Trustees of the Construction Industry and Laborers Joint Pension Trust; Trustees of the
22 Construction Industry and Laborers Vacation Trust; and the Trustees of the Southern Nevada
23 Laborers Local 872 Training Trust ("Trust Funds") hereby move pursuant to Federal Rule of
24 Civil Procedure 60(b) to set aside the judgment entered against WESCO on March 2, 2011 for
25 \$328,525 and dismiss this case. Although Defendant never appeared in this action, the parties
26 have reached a settlement of this case as to the amounts owed, and Defendant has satisfied that
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1 amount. Accordingly, relief from the order is appropriate pursuant to Federal Rule of Civil
2 Procedure 60(b)(5). Except as provided in the settlement, each party is to bear its own fees and
3 costs.

4 DATED this 18th day of July, 2011. BROWNSTEIN HYATT FARBER SCHRECK, LLP
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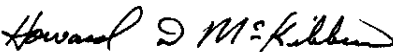
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7 By: /s/ Adam Segal

8 Adam P. Segal, Esq.
9 Nevada Bar No. 6120
10 Aaron B. Fricke, Esq.
11 Nevada Bar No. 11129
12 100 North City Parkway, Suite 1600
13 Las Vegas, Nevada 89106-4616
14 Telephone: (702) 382-2101
15 Facsimile: (702) 382-8135

16 Attorneys for Plaintiffs

17 **ORDER**

18 **IT IS SO ORDERED.**

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20 **UNITED STATES DISTRICT JUDGE**

21 **Dated:** July 19, 2011

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